

**OSSIPEE PLANNING BOARD**  
**Meeting Minutes**  
**September 5, 2023**

Minutes have been recorded for the convenience of summarization by Laura Nash, Boards & Commissions Secretary and are deleted once the minutes are board approved; any amendments to the minutes are noted in ***bold & italic*** type.

**Special Meeting**

To discuss Housing Chapter of Master Plan with Housing Consultant, Carol Ogilvie

**Call to Order:** Sharon “Sharie” Cohen, Chairman called the Special Meeting to order at 5:31 PM and requested all cellphones to be silenced.

**Pledge of Allegiance:** Was recited by all in attendance.

**Roll Call:** Sharon “Sharie” Cohen, Chairman, Bruce Stuart, Vice Chairman, Ash Fischbein, Roy Barron,

**Attendees:** Joy Gagnon, EDC Chairperson

Chairman Cohen welcomed Carol Ogilvie back to discuss proposed revisions to the Master Plan - Housing chapter.

Carol Ogilvie noted she kept the format essentially the same but has updated the data and resources information to the first two chapters for Population and Housing of the Master Plan because the data was obviously out dated and the resources were as well.

Carol Ogilvie noted on page 5 – Table #7 that the Death to Births ratio data is very high and she wanted to speak with the Town Clerk to verify if these numbers are correct. Barron noted he used to be a Cemetery Trustee and does not believe the numbers are that far off. Carol Ogilvie stated she went through every town report to verify the numbers. Fischbein inquired if she has seen a correlation to median age of 55, but Carol Ogilvie noted she has not really looked for one.

Joy Gagnon inquired about the age of the people who have died. Barron thinks most of them were in there 80's. Carol Ogilvie will make sure to label to headers on each column of the Table #7. Carol Ogilvie wanted to verify there are six (6) campgrounds in Ossipee. The secretary suggested to Stuart on speaking with the Assessing Clerk in the Selectmen's Office at the Town Hall.

Carol Ogilvie referred to page 8 – Figure #5 – Year of Housing Construction where the bulk of housing was constructed from 1939 or earlier and again from 1980-1999.

Stuart asked for additional copies to be made for those attending that did not have a copy. The secretary went to print some additional copies. Carol Ogilvie inquired if the Planning Board is apart of the Housing Coalition. Joy Gagnon confirmed that EDC is in their email attachment group for both Mount Washington Valley Housing Coalition and Lakes Region Planning Commission. Stuart explained to Carol Ogilvie that Joy Gagnon is the Chairperson for the Ossipee Economic Development Counsel and was the person the Planning Board contacted for making the arrangements for the Envision Night.

Carol Ogilvie referred to page 3 – Figure #2 which shows that Ossipee is losing young people aged 5 – 34 and gaining drastically older residents aged 55 to 74 between the time period of 2000 – 2020. Carol Ogilvie noted that this is happening everywhere. Fischbein noted the birth rates are down as well. Discussion ensued.

Carol Ogilvie continued with the population chapter but what they're seeing is a fewer younger people, more older people, smaller household size, and a declining student population. The Housing section seems to be following the population. When the population goes up so does the housing.

Carol Ogilvie referred to page 7 – Graph Figure #4: % Change by Decade 1980-2020. In 1980, housing in every town saw the greatest increase in housing units from 1980 to 1990 based on total housing units. This is not surprisingly consistent with the population growth experienced during that decade. The last decennial census count showed not only the smallest increase overall, but five of the seven towns actually lost housing units. Freedom was the only town with a noticeable increase in housing units during that decade.

Carol Ogilvie referred to page 9 – Table #10: Housing Values, 2021. The numbers are based on Owner-occupied housing units with a mortgage = 779 and those Owner-occupied housing units without a mortgage = 595 and is based on how the person answered the census on what they thought their house was worth if they were to sell it. By comparison, according to Rocket Homes Housing Market Report, as of June 2023 the median sold price was \$450,000; and for the same time period, Zillow records a median home value at \$370,358. Discussion ensued over how the housing cost market has changed between 2021 compared to housing cost in 2023.

Carol Ogilvie referred to page 10 – Table #11: Homeowner Monthly Housing Cost as a Percentage of Household Income, 2021. The Census information on the monthly cost for homeowners with and without a mortgage as a percentage of their income; this analysis intends to identify whether a home is “affordable” to the occupants. The federal government defines affordable as being no more than 30% of the monthly income. If the occupants are paying more than 30% of their income, the federal guidelines suggest that there is not enough disposable income to go toward other expenses. For the homeowners with a mortgage, in every income category except for those with an income of \$75,000 or more, the majority of homeowners are paying more than 30% of their income on housing. This is noticeable in the lower income brackets, where 100% of the homeowners are paying more than 30% toward housing.

Discussion ensued and Carol Ogilvie confirmed this percentage includes mortgage, taxes and insurance but excludes utilities. Fischbein questioned isn't this the way the state defines affordable housing by including utilities. Carol Ogilvie initially stated no, until Fischbein noted per *(RSA 674:58, I) "Affordable" means housing with combined rental and utility costs or combined mortgage loan debt services, property taxes, and required insurance that do not exceed 30 percent of a household's gross annual income.* It was also pointed out in on page 9 – paragraph 2, ) *“The federal government defines affordable as being no more than 30% of the monthly income; the costs include mortgage or rent, property taxes, insurance, and utilities.”* Carol Ogilvie stated she will need to confirm if the federal and state law is the same or if they differ.

Carol Ogilvie referred to page 10 – Future Housing Need; these projections vary; one common method is to rely on historical population and housing trends and person-per-unit calculations. The data and methodologies presented in this section are based on the recently released draft Lakes Region Housing Needs Assessment<sup>1</sup> prepared by the Lakes Region Planning Commission. This Assessment was part of a state-wide project for the regional planning commissions in New Hampshire. The NH Office of Planning and Development contracted with Root Policy Research, a consulting firm to develop a model for projecting need and fair share distributions for each region and municipality in the state. At the end of the housing section is an important component of the master plan and a statutory requirement to “...assess local housing conditions and project future housing needs of residents of all levels of income and ages in the municipality and the region...” (1 [Lakes Region Housing Needs Assessment \(lakesrpc.org\)](https://lakesrpc.org/))

Carol Ogilvie noted prior housing needs assessment were determined based on historical trends of population growth, what was the housing growth based over time. Lakes Region Housing Needs Assessment uses an entirely different methodology in that the state hired a consultant to develop a model for projecting the future housing need and fair share distributions for each region and municipality in the state.

Carol Ogilvie noted the Lakes Region Housing Needs Assessment projects out to the year 2040. Projections

are generally by decades starting with 2020 but the Lakes Region Housing Needs Assessment is projected every five years (i.e., 2025, 2030, 2035, 2040) By the time we get to 2040, - Table #12: Projected Future Housing Targets, Total Units & Affordable Units; shows the total number of housing units that Ossiipee and neighboring towns would be expected to have to meet the projected need of population growth but also to meet the housing needs of the workforce coming into the area to meet the economic needs.

Carol Ogilvie clarified that the Consultant stated these projections are aspirational targets and are in no way mandated. They are in no way telling any town this is what they have to do. Carol Ogilvie noted she can provide the breakdown if the Board wants to but the percentages are top loaded in that 2025 and 2030 are higher because it's starting with a back log of including the percentage of housing shortage currently existing.

Carol Ogilvie referred to page 12 – Table #13: Percentage of the Total for New and Affordable Housing Units. So, by 2040, the projected number of housing units is 226 or 16% with Owners = 151, Renters = 75, and Owners & Renters Affordable Housing = 130 or 21%, these targets can be met will depend on a variety of factors, not all of which are under the Town's control but the Town does have control over its local Zoning Ordinances with provisions relative to housing opportunities. Zoning Ordinances should not be a barrier to providing housing.

Carol Ogilvie referred to page 12 – Table #14: Ossiipee 2023 Zoning Ordinances which shows that Ossiipee offers lots of different types of housing opportunities in all zones. Carol Ogilvie congratulated the Board on the changes made this year to the zoning ordinances because this is usually an area in which they would recommend revisions be made but Ossiipee has already made the changes.

Carol Ogilvie referred to page 13 – GOALS is from the existing chapter and asked the Board to review for relevancy.

“The Ossiipee Planning Board reviewed the 1988 Housing Goals of the Planning Board and found that they are still necessary:

*Promote a balance of housing opportunities which will meet community needs and allow for elderly and low and moderate income households. Promote the development of attractive, convenient, and safe neighborhoods and the maintenance of existing housing stock.*

#### Implementation Recommendations:

Fischbein suggested the following changes: With some revision and modification, in ~~2002-2023~~ **the zoning of this Town has changed in favor of all housing styles and** the Planning Board **has** adopted the recommendations to implement these goals:

The town should encourage the rehabilitation and preservation of existing residential structures.

Ossiipee's land use regulations should encourage new development to meet the population increases.

Efforts should be made to support affordable housing on suitable land for elderly persons and families.

The Planning Board, in Site Plan Review and Subdivision hearings, and the Zoning Enforcement Officer in granting building permits, should increase awareness of energy conservation. The town should ensure that conversion of seasonal housing units to year round use is carried out with adequate sewer and water provisions. ~~Conversions should be reviewed with consideration to their impact on density. Conversions should also be reviewed with thought to their impact on town services.~~

The town should support and enforce the new state building codes to ensure adequate safety, health, and fire protection standards.”

Fischbein inquired about short term rentals and what suggestions would Carol Ogilvie offer as a Town Planner. Carol Ogilvie suggested if the town is going to allow them; the town should put some guard rails

in place so it doesn't turn into a party place every weekend and becoming a nuisance to the neighborhood with noise, drinking, language, trash and fights. Short term rentals also takes housing out of the supply demand.

Fischbein referred to Table #13 for the Affordable Housing and Rentals projected at 130 by 2040, and noted he knows of 25% of the houses are already short term rentals. Carol's figures show 10%, but Fischbein noted that more and more companies are buying these houses specifically for short term rentals and are looking for towns with no short term rental zoning ordinances. Discussion ensued over short term rentals verses second homes. Either way these homes are no longer available for people who live and work here.

Stuart commented that wages here are not in favor of someone wanting to own there own home. Barron commented that the rental prices are so high that people can't afford to rent either. Joy Gagnon noted that the interest rate being at 7% does help because now you can only buy with cash. Discussion ensued.

Carol Ogilvie will make a brief statement on Airbnb, short term rentals for the Board to decide if they want to add it or remove it. Discussion on the Conway Court case ensued. Barron asked for the secretary to look up the court case and print it off for the Board. Discussion ensued over adding stipulations to deeds. Carol Ogilvie referenced the town of Lincoln, who has the following regulations:

1. Requires Permitting
2. Fire Chief Inspection
3. Health Officer Inspection, etc.

Carol Ogilvie believes that there are ways to regulate the short term rentals without prohibiting. Multiple discussion ensued.

Fischbein inquired of Carol Ogilvie's thought on multi-family housing in single-family neighborhoods. Carol explained that ever since zoning that has continued to be a problem. The court's stated long ago that single family neighborhoods are sacred. They should be able to live without ever having anything else around them. Since then, some attitudes have changed along with the laws have changed. One factor is how these multi-family structures are designed, built, managed and how they fit into the neighborhood. But by making them aesthetically pleasing in keeping with the neighborhood and done thoughtfully it can work. Carol Ogilvie suggested setting a limit on the number of units in the building, site design, landscaping, and aesthetic facade.

Carol Ogilvie is going to review the Site Plan Review Regulations to see where site design regulations could be addressed. Stuart reminded everyone about not being so protective about what WE want and what WE have worked for that we leave no room for anyone else. Stuart wants everyone to keep an open mind to try to make this work and how as a Planning Board, we can control that and make that fit into our town and somewhat appease everybody involved. Discussion ensued.

Barron inquired if its appropriate for any new businesses coming into town that they provide housing on their property. Cohen and Stuart both acknowledged that the zoning ordinances allows for mixed use.

Fischbein commented that the Board needs to shift it's thinking to what the master plan directs so when someone comes before the Board. The Board can say yes the zoning ordinance does allow it but let's look at the master plan, which is a document our community designed about the future of our town and this ordinance is the spirit of that master plan. Stuart noted the Planning Board has the authority of that discretionary review to look at all the points before rendering a vote.

Discussion ensued over being pro-business but ... Joy Gagnon mentioned the storage building next to Aloha's. Fischbein noted there are multiple on-line businesses and manufacturing businesses operating out of the contractor's units making extravagant hammocks. Discussion ensued.

Carol Ogilvie is going to make her corrections, add somethings based on tonight's discussion, and she has ideas for some current goals to be reviewed at the next special meeting to be determined. Stuart thanked Carol Ogilvie for her time and input. "It's nice to have somebody with the experience and knowledge of the rules and regulations and is also here to help and guide the Planning Board with this project. It's the future of our town and we're all trying to participate in the best way we can for our community."

Stuart asked Joy Gagnon if she had any questions. Joy Gagnon inquired if the Board is going to have anymore community outreach events. Stuart thinks there's time to hold one more event. Joy Gagnon stated that Melissa Seaman's has offered the County Complex and the second option is to speak with Amy, Director of School Out at Ossipee Central School when they have there family night. Stuart thought by having it at the County Complex they could get input from employees as well as residents, who are not cognizant impaired.

Stuart asked Carol Ogilvie who confirmed the timeframe for having this completed is between October and November. Ivy Vann is going to create 3-4 data point questions. Joy Gagnon will speak with Amy at Ossipee Central School and will contact the County Nursing Home about possibly using the facility.

Sharon "Sharie" Cohen, Chairman recessed the Special Meeting at 6:45 pm with the Public Hearing/Meeting to follow at 7:00 pm.

**Arrived for 7:00 pm:** Krystal Eldridge, Brian Ames, and Melissa Ames (Alternate)

Sharon "Sharie" Cohen, Chairman reconvened the Regular Public Hearing/Meeting at 7:00 pm.

### **Public Hearing at 7:00 pm:**

To present and approve the final revisions to the Planning Board's Lot Merger Application.

Chairman Sharon "Sharie" Cohen read through the proposed changes:

"With this application, the property owner/s will submit the following documents with this application:

1. Copy of the assessment cards for all lots to be merged
2. The notification from the Tax Office that taxes for all lots to be merged are paid
3. Copy of property deeds for all lots to be merged
4. A copy of the tax map highlighting both properties involved in the proposed merger
5. Submit a check per current rate on Fee Schedule: payable to **Town of Ossipee**
6. Submit a check per current rate on Fee Schedule: payable to **Carroll County Registry of Deeds**

Chairman Sharon "Sharie" Cohen called for public input; none heard.

Chairman Sharon "Sharie" Cohen called for any further Board discussion; none heard.

A **Motion** by Fischbein to approve the revisions to the Lot Merger Application. B. Ames seconded. No discussion. A unanimous vote was taken by a show of hands. **Motion passed.**

### **Regularly Scheduled Meeting at 7:00 pm**

Chairman Sharon "Sharie" Cohen called the Regular meeting to order.



**Public Input:** Chairman Sharon “Sharie” Cohen called for public input unrelated to any case being presented tonight. None was heard.

Chairman Cohen raised Alternate, Melissa Ames up to voting status in place of absent members at the meetings of April 18, 2023, and August 1, 2023.

**Meeting Minutes:** Review to approve Meeting Minutes of April 18, 2023, July 18, 2023 – Public Hearing minutes, July 18, 2023 – Meeting Minutes, August 1, 2023 and August 15, 2023.

A **Motion** by Fischbein to approve the Meeting Minutes of April 18, 2023 as submitted. B. Ames seconded. No discussion. A. Fischbein, K. Eldridge, and R. Barron abstained since they were not in attendance for the meeting. All others voted in favor. **Motion passed.**

A **Motion** by Barron to approve the Meeting Minutes of July 18, 2023 – Public Hearing. Fischbein seconded. No discussion. Cohen, M. Ames and K. Eldridge abstained since they were not in attendance for the meeting. All others voted in favor. **Motion passed.**

A **Motion** by Fischbein to approve the Meeting Minutes of July 18, 2023. Barron seconded. No discussion. S. Cohen, M. Ames and K. Eldridge abstained since they were not in attendance for the meeting. All others voted in favor. **Motion passed.**

A **Motion** by Barron to approve the Meeting Minutes of August 1, 2023. K. Eldridge seconded. No discussion. S. Cohen, and A. Fischbein abstained since they were not in attendance for the meeting. All others voted in favor. **Motion passed.**

A **Motion** by Barron to approve the Meeting Minutes of August 15, 2023. Stuart seconded. No discussion. B. Ames, A. Fischbein and M. Ames abstained since they were not in attendance for the meeting. All others voted in favor. **Motion passed.**

**Financial:** Budget Report for July 2023 – a copy was given to each member. No questions or concerns were raised.

**Informal Discussion:**

- **David Spirito:** of 52 Ridge Rd. in discuss a possible zoning change.

David Spirito presents requesting to put forth a warrant article to the Ossipee voters to limit the amount of guests to occupy a home for a short term rental property. He is requesting a zoning ordinance for a max occupancy on a short term rental property.

David Spirito explained the situation he is experiencing with a neighbors property. The neighbor’s property is listed on vacation rentals by owner and sleeps up to 18 people. In the summer it is consistently being rented to between 16 – 24 people at one time and mostly to 20-30 year olds. The parting, drinking, drugs, noise and explicit language not to mention the trespassing, theft and fights has become a serious nuisance.

David Spirito is not against vacation rentals but would suggest limiting the occupancy to 8-10 guests to keep the situation manageable without disrupting the neighborhood or the town. He noted other towns have set limits and believes Ossipee needs to set limitations.

Barron questioned Mr. Spirito’s thoughts on large family reunions. David Spirito is more concerned with noise, theft of his fire wood and the excessive number of people and reports that other towns have implemented limitations. The Town of Freedom has a maxi occupancy at 2 people per bedroom per the approved septic design plus 2 additional guest. So, when the Gerard’s sold their house it was listed as a 3

bedroom house which would calculate to sleeps 8 guest. But it's now listed on VRBO as a 5 bedroom – sleeps 18 for approximately \$1,000.00 per night. Barron commented if the septic system is listed for 3 bedrooms then they're already exceeding its capacity.

Discussion ensued over the options of submitting a warrant article either by the Planning Board or by petition to the voters. Fischbein clarified that the Board is starting to discuss short term rentals. The Board acknowledges that there are issues to address but the Board has made no stance on the topic but will be discussing in the near future.

Stuart noted in discussion with the housing consultant earlier this evening based on what is taking place in other towns to help regulate short term rentals. The consultant is going to put together some regulations for the Board to review on what other towns have implemented because the verbiage has to be specific so it's not thrown out of court if its challenged.

Fischbein requested the secretary to add this topic of discussion to the November agenda for discussion. The secretary informed the Board that according to the Municipal calendar the first date for submission of a zoning change is November 13, 2023 with a deadline of December 13, 2023. In light of this information, Fischbein requested the secretary to add this topic of discussion to the October 17, 2023 agenda for discussion.

Barron requested the secretary to google the court case for Conway's short term rental case and to research other towns ordinances for short term rentals.

Discussion ensued over what the Town's of Freedom, Gilford, Wolfeboro, etc. have implemented. Stuart noted their trying to avoid a challenge in court to whatever ordinance is put in place; like what happen in Conway.

Eric Clifford suggested looking up the zoning ordinance in Gilford because they're only allowed to rent for 10 weeks a year, 2 people per room and the Fire Chief needs to inspect and approve prior to each renter to show where everyone would be staying.

K. Eldridge reported that the Town of Freedom has some good information.

Katherine Alexander inquired if the Board has seeked legal advice on this topic. Fischbein reported not yet, but the town's attorney reviews all proposed zoning changes prior to it going on the ballot.

Chairman Cohen explained the process of getting the proposed zoning changes to the ballot for voters and when approved warrant articles would go into effect. David Spirito was advised to attend the October 17, 2023 Planning Board meeting when the Board will be discussing short term rentals.

### **Unsatisfied Conditions:**

- **Case #23-01-SUBD:** Pitchfork Holdings, LLC c/o Evans Brothers, LLC. Representing Agent: Christopher Berry of Berry Surveying & Engineering for 800 Route 16, Tax Map: 124 Lot: 007 is Granted Conditional Approval a proposed (7) Lot Subdivision, pending receipt of the following conditions: (Case continued from June 6<sup>th</sup>, 2023, July 5<sup>th</sup>, 2023, July 18<sup>th</sup>, 2023, August 1, 2023 and August 15, 2023) (Case continued until September 5, 2023 pending conditions:)

1. NHDOT – approval and/or copy of submitted applications.
2. Department of Historical Resources - approval and/or copy of submitted applications.
3. Mylar plan and appropriate fees for recording with Carroll County Registry of Deeds.
4. All Federal, State and Local Regulations shall be followed.

Chairman Sharon “Sharie” Cohen for the representing agent. No one was present to represent Pitchfork Holdings, LLC. The secretary noted she has not received a request for a continuance nor has she spoken with anyone associated with this case. The secretary suggested the Planning Board could grant a one-time courtesy continuance to the September 19, 2023 meeting. The Board members briefly discussed and a motion was made to approve a continuance.

A **Motion** by Fischbein to grant a one-time courtesy continuance to the September 19, 2023 meeting for **Case #23-01-SUBD**: Pitchfork Holdings, LLC c/o Evans Brothers, LLC. Representing Agent: Christopher Berry of Berry Surveying & Engineering for 800 Route 16, Tax Map: 124 Lot: 007, pending the following conditions:

1. NHDOT – approval and/or copy of submitted applications.
2. Department of Historical Resources - approval and/or copy of submitted applications.
3. Mylar plan and appropriate fees for recording with Carroll County Registry of Deeds.
4. All Federal, State and Local Regulations shall be followed.

Barron requested the secretary to notify the applicant to attend the next meeting or to contact the secretary for a continuance.

Chairman Sharon “Sharie” Cohen called any further discussion. None heard. Barron seconded the motion. A unanimous vote was taken by a show of hands. **Motion passed.**

- **Case #23-01-BLA**: William A. & Shannon M. Huffman and Maplehurst Farm Trust of 275 Granite Rd. Tax Map: 261 Lot: 010, 279 Granite Rd. Tax Map: 261 Lot: 011 and 285 Granite Rd. Tax Map: 261 Lot: 012 are **Granted a Conditional Approval** for a Boundary Line Adjustment, has Requested a continuance until the September 19, 2023 Planning Board meeting pending the following conditions:

1. Deed descriptions on final plans,
2. The deeds with the water rights easement for Tax Map: 261 Lot: 010 and Tax Map: 261 Lot: 012.
3. Mylar plan for recording.
4. All Federal, State and Local Regulations shall be followed.

A **Motion** by Barron to grant a continuance to the September 19, 2023 meeting for **Case #23-01-BLA**: William A. & Shannon M. Huffman and Maplehurst Farm Trust of 275 Granite Rd. Tax Map: 261 Lot: 010, 279 Granite Rd. Tax Map: 261 Lot: 011 and 285 Granite Rd. Tax Map: 261 Lot: 012. Chairman Sharon “Sharie” Cohen called for any discussion. None heard. K. Eldridge seconded the motion. A unanimous vote was taken by a show of hands. **Motion passed.**

**New Business**: Chairman Sharon “Sharie” Cohen read the description prior to each case being presented.

- **Case #23-08-SPR**: JB Real Estate Investments, LLC Owner: John DeVitto c/o Bryan Berling of Land Tech of 18 Moultonville Rd. Tax Map: 092 Lot: 079 is seeking a Site Plan Review to have retail, restaurant and residential units in the Village District.

John and Brittany DeVitto are here to present their plan for a Site Plan Review to have retail and restaurant on the first floor and (2) residential apartment units on the second floor in the Village District. Brittany DeVitto explained they are seeking a waiver from SPR 8.01.2, B, 5, Table I - Off Street Parking Requirements. According to the calculations they are to have 12 parking spaces but can only accommodate 9 parking spaces and are seeking a waiver to utilize the surrounding public parking for the other 3 parking spaces required.



Brittany DeVitto also explained they are seeking a second waiver from SPR 8.01.2, B, 6 – Parking Dimensions. The waiver is requested because this site plan proposes parallel parking but is not defined in the regulations. After an internet query on the parking space size the layout and existing conditions allows for three natural parallel spaces in addition to the perpendicular parking.

Board discussion ensued that the parking layout is existing. Stuart and Fischbein reviewed the parking space design and dimensions. Fischbein noted that the Planning Board Certification statement was not on the plans and would need to be hand written on the plans tonight in order for the Board to sign. The statement verbiage was given to Brittany DeVitto, who wrote the certification statement on the plans.

Waiver Requests:

A **Motion** by Fischbein to approve the Waiver Request for Section 8.01.2, B, 6 – Parking Dimensions for **Case #23-08-SPR**: JB Real Estate Investments, LLC Owner: John DeVitto c/o Bryan Berling of Land Tech of 18 Moultonville Rd. Tax Map: 092 Lot: 079 request for a Site Plan Review. Barron seconded. No discussion. A unanimous vote was taken by a show of hands. **Motion passed.**

A **Motion** by Fischbein to approve the Waiver Request for Section 8.01.2, B, 5, Table I - Off Street Parking Requirements for **Case #23-08-SPR**: JB Real Estate Investments, LLC Owner: John DeVitto c/o Bryan Berling of Land Tech of 18 Moultonville Rd. Tax Map: 092 Lot: 079 request for a Site Plan Review. Barron seconded. No discussion. A unanimous vote was taken by a show of hands. **Motion passed.**

A **Motion** by Fischbein to accept the application as complete for **Case #23-08-SPR**: JB Real Estate Investments, LLC Owner: John DeVitto c/o Bryan Berling of Land Tech of 18 Moultonville Rd. Tax Map: 092 Lot: 079 request for a Site Plan Review. Barron seconded. No discussion. A unanimous vote was taken by a show of hands. **Motion passed.**

Chairman Sharon “Sharie” Cohen called for public input. None was heard.

Chairman Sharon “Sharie” Cohen called for Board discussion. None was heard.

A **Motion** by Fischbein for **Case #23-08-SPR**: JB Real Estate Investments, LLC Owner: John DeVitto c/o Bryan Berling of Land Tech of 18 Moultonville Rd. Tax Map: 092 Lot: 079 is Granted a Site Plan Review to have retail and restaurant on the first floor and (2) residential apartment units on the second floor in the Village District. All Federal, State, and Local Regulations shall be followed. B. Ames seconded. No discussion. A unanimous vote was taken by a show of hands. **Motion passed.**

***Fischbein Noted: The Selectmen, or any party to the action or any person directly affected has a right to appeal this decision within 30 days. To avoid lapsing of the approval, there should be substantial construction or liability within 2 years of the decision. See New Hampshire Revised Statutes Annotated, Chapter 677 - Appeals, available on the Town of Ossipee website.***

Chairman Sharon “Sharie” Cohen read the description of the next case being presented.

- **Case #23-09-SPR**: Eric Clifford c/o Fire Side Lumber of 2245 Route 16. Tax Map: 014 Lot 004 in the Roadside Commercial district is seeking a Site Plan Review to have a 30 ft. x 42ft. building with front office space and storage of lumber for sale. The front 16 ft. x 30 ft. will be for office space with the remaining 26 ft. x 30 ft. barn storage for lumber with a 14 ft. x 26 ft. front lean tube. Also looking to put a roof over existing sign with lights to enhance curbside appeal. Also requesting multiple waivers from the checklist.

Krystal Eldridge requested to recuse herself from the next case.

Chairman Sharon “Sharie” Cohen accepted the request and raised Alternate, Melissa Ames up to voting status in place of Krystal Eldridge.

Eric Clifford presents his plan to construct a building to house fire side lumber. He has applied to NHDOT for a driveway permit and has submitted a copy of the application for his file.

Stuart questioned Eric Clifford why he marked NHDOT curb cut as not applicable but he actually did apply. The secretary explained at the time he submitted the application he had not applied to NHDOT but was advised to contact them. Subsequently NHDOT told him to submit an application for review and a copy of the application was submitted to the Board. The Board noted that’s one less waiver request he will need.

The Board took time to review the application and the plan submitted. Fischbein inquired about the waiver request for septic design with a note stating, “septic system guy coming 2<sup>nd</sup> week in October.” Eric Clifford explained he contacted the guy in March but he unable to do the job until the 2<sup>nd</sup> week in October. Eric Clifford explained that is why he has not shown on the plans where the bathroom will be because it depends on which side of the building the septic system will be located.

Fischbein inquired if there would be any paving. Eric Clifford noted eventually he would like to but it will only be in the front. Fischbein inquired if he would be able to show on the plan where the survey marker are located to show boundaries. Eric Clifford demonstrated on the plan what the dimensions from particular landmarks. The Board was looking for specific dimensions and referred to the system generated GIS map. Eric Clifford explained he is 65 ft. back from the road, the property is 210 ft. wide, the proposed building is 30 ft. leaving 50 – 60 ft. from the side setbacks. Fischbein noticed the deed was not included in the packet and ask Eric Clifford , who confirmed he is the owner the property. Stuart explained to Eric Clifford the reasoning for requiring all the documentation.

Fischbein requested Eric Clifford to obtain a copy of his deed, bring to the secretary and for the secretary to contact Fischbein, who will come in to review it. Eric Clifford offered the Board member to visit the site to review the boundaries, and pins for themselves.

The Board discussed continuing this case until September 19, 2023, until Fischbein noted the Board would only be able to conditionally approve because he would still be pending the septic approval. Stuart explained that if with a conditional approval, Eric Clifford would not be able to disturb any soil or start the project until final approval is granted by the Board. Discussion ensued.

The Board reviewed the application and each waiver requested to ensure that Eric Clifford has all the necessary information he will need to bring back. After reviewing the waivers, Eric Clifford requested to continue his case until October 17, 2023 to allow time to obtain his septic system approval and gather the information requested from the Board.

A **Motion** by Fischbein to Continue **Case #23-09-SPR**: Eric Clifford c/o Fire Side Lumber of 2245 Route 16. Tax Map: 014 Lot 004 in the Roadside Commercial district request for a Site Plan Review to have a 30 ft. x 42 ft. building with front office space and storage of fireside lumber for sale; Pending the following documents and revisions:

1. Copy of Deed for proof of new ownership
2. Show Boundary pins on plan
3. Review and Revise Waivers Requested
4. Show Flood Zone on Plan
5. NHDES approved Septic Design plan by a certified septic designer

Barron seconded. No discussion. A unanimous vote was taken by a show of hands. **Motion passed.**

Fischbein advised Eric Clifford to utilize the secretary for any assistance.

**Unfinished Business:**

- **Master Plan:** Housing Chapter Discussion was conducted at the Special Meeting held at 5: 30 PM.

Fischbein reminded the Board there are other chapters to be revised.

**Next Meeting:** September 19, 2023 at the Freight House

**Any Other Business Which May Come Before This Meeting:** Chairman Sharon “Sharie” Cohen called for any other business.

Jeff Kelley wanted to discuss with the Board about the discussions held at the Housing Envision Night on August 24, 2023. Jeff Kelley suggested putting up 3-4 cabins/cottages on a lot for long term rental. General discussion ensued about how the zoning ordinances were alleviated of restrictions. K. Eldridge inquired if he’s thinking of something similar to what Tamworth has with RWN’s cabins. Fischbein suggested Jeff Kelley to speak utility companies in the area on how many houses can be on the water system before it becomes a public water source (i.e.. An association) and also suggested being on the town water and septic system because it needs more people on it.

But Jeff Kelley was highly advised to discuss with the Zoning Officer about specifics related to location, lot size, number of units, setback requirements, water and septic system verses town water and septic usage, etc. Once he has his details he can return to the Planning Board for a Site Plan Review if it’s determined to be required once speaking with the Zoning Officer.

Katheryn Alexander suggested to Jeff Kelley that there are Federal and State grants to assist with housing development.

Chairman Sharon “Sharie” Cohen called for any other business it not a motion to adjourn was requested.

**Adjournment:**

A **Motion** by Barron to adjourn. B. Ames seconded. No discussion. A unanimous vote was taken by a show of hands. **Motion passed.**

**Meeting adjourned** at 8:35 PM.

Minutes approved by majority vote of the Board on –

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Date

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Sharon “Sharie” Cohen, Chairman  
Ossipee Planning Board

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Bruce Stuart , Vice - Chairman  
Ossipee Planning Board